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Docket No. 200309260-1

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REMARKS

Claims 1-7, 9-22, and 24-30 are pending in the present application. Reconsideration of the application is respectfully requested in view of the following responsive remarks. For the Examiner's convenience and reference, Applicant's remarks are presented in the order in which the corresponding issues were raised in the Office Action.

In the Office Action of June 20, 2007, the following actions were taken:

- (1) claims 1-3, 5-7, 9-18, 20-22, and 24-30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,624,484 (hereinafter "Takahashi") in view of U.S. Patent No. 5,958,121 (hereinafter "Lin"); and
- (2) claims 4 and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Takahashi and Lin, and further in view of U.S. Patent No. 6,328,413 (hereinafter "Rutland").

It is respectfully submitted that the presently pending claims be reconsidered and allowed.

Rejections Under 35 U.S.C. § 103

The Examiner has rejected claims 1-3, 5-7, 9-18, 20-22, and 24-30 under 35 U.S.C. § 103 over Takahashi in view of Lin, and claims 4 and 19 over Takahashi and Lin and further in view of Rutland. The Applicant respectfully submits that the presently pending claims are patentable over the cited references for the reasons set forth below, and that the rejection should be withdrawn.

Before discussing the obviousness rejections herein, it is thought proper to briefly state what is required to sustain such a rejection. The issue under § 103 is whether the PTO has stated a case of *prima facie* obviousness. According to the MPEP § 2142, the Examiner has the burden and must establish a case of *prima facie* obviousness by showing the prior art reference, or references combined, teach or suggest all the claim limitations in the instant application. Further, the Examiner has to establish some motivation or suggestion to combine and/or modify the references, where the motivation must arise from the references themselves, or the knowledge generally available to one of ordinary skill in the art. And finally, the Examiner has to show a reasonable expectation of success in the prior art. The Applicant respectfully

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asserts the Examiner has not satisfied the requirement for establishing a case of *prima facie* obviousness in any of the rejections.

The present invention is directed towards a system and method for ink-jet imaging. In accordance with embodiments of the claimed invention, this system allows for reduced nozzle clogging due to cross-contamination. The claims set forth a fluid dispensing system specifically designed for ink-jet printing comprising an ink-jet ink with from 0.1 wt% to 6 wt% of an anionic dye colorant and from 0.05 wt % to 1.0 wt % of an anionic dispersant polymer. The claims also set forth a fixer composition with a cationic crashing agent that is reactive with a component of the ink-jet ink. The fluid dispensing system can be configured for overprinting or underprinting the fixer composition with respect to the ink-jet ink. Claims are also drawn towards a method for ink-jet imaging including jetting an ink-jet ink from printing nozzles that includes an anionic dye colorant and an anionic dispersant polymer, and jetting a fixer composition from printing nozzles.

A detailed summary of the prior art references were included in the office action response dated April 30th, 2007, and Applicant advises Examiner to refer to that response for any background necessary.

Applicant asserts that a *prima facie* case of obviousness has not been presented by the combination of Takahashi and Lin as outlined in the office action dated June 20, 2007. The combination of references does not teach or suggest each and every element. Specifically, each and every element of Applicant's claimed invention is not found in the prior art references either alone or in combination. The Examiner appears to agree that Takahashi does not disclose an anionic dispersant polymer in the amount of 0.05 wt% to 1.0 wt%." However, the Examiner argued that the limitation of "0.05 wt% to 1.0 wt%" is found, however, in the Lin reference. The Examiner points to column 2, lines 11-17 and column 18, lines 44-62 to support this assertion. However, these areas in the Lin reference do not teach this limitation. Column 2, lines 11-17 discusses general background about drop-on-demand acoustic printing, and column 18, lines 44-62 discusses dyes. Thus, these citations appear to be wholly irrelevant to what the Examiner claims they teach. In fact, a careful reading of the entire document does not reveal this limitation disclosed at all by Lin. Therefore, the prior art references either alone, or in combination, do not teach each and every limitation of Applicant's claimed invention.

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Additionally, not only does Takahashi and Lin not teach the relative amounts of anionic dye colorant and anionic dispersant, the combination of Takahashi and Lin does not teach the combination of anionic dye colorant present in an ink with anionic dispersant polymer, nor does either reference clearly teaches anionic dispersant polymer.

Therefore, the combination of Takahashi and Lin does not present a *prima facie* case of obviousness for lack of teaching each and every element. As such, removal of the rejections based on the combination of Takahashi and Lin is respectfully requested.

Combination with Rutland

Rutland does not remedy the missing elements of the combination of Takahashi and Lin. Rutland does not teach of an ink-jet ink including an anionic dye colorant and from 0.05 wt % to 1.0 wt % of an anionic dispersant polymer. Therefore, the combination of Takahashi, Lin, and Rutland is missing a claim limitation. As such, removal of the rejections based on Rutland is respectfully requested.

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CONCLUSION

In view of the foregoing, Applicant believes that claims 1-7, 9-22, and 24-30 present allowable subject matter and allowance is respectfully requested. If any impediment to the allowance of these claims remains after consideration of the above remarks, and such impediment could be removed during a telephone interview, the Examiner is invited to telephone Gary Oakeson that such issues may be resolved as expeditiously as possible.

Please charge any additional fees except for Issue Fee or credit any overpayment to Deposit Account No. 08-2025.

Dated this 6th day of August, 2007.

Respectfully submitted,



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